In the High Court for the States of Punjab and Haryana, at Chandigarh.

C.W.P.No. 10369 of 2006
Decided on Sept 07,2006.

Kishan Singh --petitioner

vs.

State of Haryana and others --respondents.

Coram: Hon'ble Mr.Justice Jasbir Singh
Hon'ble Mr.Justice Pritam Pal

Present: Mr.P.R.Yadav,Advocate, for the petitioner

Mr.S.S.Pattar, Sr. DAG,Haryana.

Jasbir Singh J:(Oral)

The petitioner was suspended vide order dated May 04,2006. His appeal was also dismissed on July 11,2006. It was allegation against the petitioner that at the time of demarcation of land of the Gram Panchayat, he did not cooperate with the revenue officers. It is further allegation against him that he has not taken any action against the unauthorised occupants, of Gram Panchayat's land.

When notice of motion was issued, following contention of counsel for the petitioner was noticed by this Court:-

"On an allegation that the petitioner-Sarpanch has failed to assist the revenue officers at the time of demarcation of land of the Gram Panchayat, he was put under suspension. His appeal was dismissed.

Counsel for the petitioner states that during pendency of his appeal before the competent officer, in fact, the demarcation was got done, on the basis of said report, action was also initiated against those

individuals, who were found to be in unauthorised occupation of the Gram Panchayat's land. Counsel further states that even on the date when earlier demarcation was going to be effected, the petitioner never refused to assist the revenue officers" .

A perusal of the record shows that after passing of the orders under challenge, demarcation was done at the spot. Counsel for the petitioner further states that action has also been initiated against the unauthorised occupants as per provisions of law.

In view of the facts mentioned above, this writ petition is allowed and the orders under challenge are set aside. The petitioner is directed to continue with the proceedings, pending against the unauthorised occupants.

(Jasbir Singh)
Judge

Sept 07,2006,
RR

(Pritam Pal)
Judge